Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 1 of 31

- 1- Recycling trailers
- 1- Dairy Queen Ad
- 1- Home Gym for sale
- 2- SDHSAA election results
- 3- State parks host hikes, events
- 4- Flowers donated by Thrivent Financial
- 4- Ft. Sisseton festival this weekend
- 5- J.W. Parsley and his quest for good roads
- 6- JVT Annual Meeting Ad
- 7- Today in Weather History
- 8- Today's Forecast
- 9- Yesterday's Weather
- 9- Today's Weather Info
- 9- National Weather Map
- 10- Daily Devotional
- 11- News from the Associated Press

FOR SALE

MARCY MWM900 Home Gym for sale. Asking \$100. Contact Brian at 397-7180.

Open: Recycling Trailer in Groton The recycling trailer is located at 10 East Railroad Ave.

The cardboard/paper

recycling trailer at the school is **Open**



Wednesday, May 31

United Methodist: Wednesday Coffee, 9 a.m. **Senior Menu:** Baked pork chop, macaroni salad, squash, pineapple strawberry ambrosia, whole wheat bread.

Thursday, June 1

Senior Menu: Ranch chicken breast, boiled potato, green beans, cake with strawberries, whole wheat bread.

Emmanuel Lutheran: Nigeria Circle, 2 p.m.

James Valley Telco annual meeting at Groton Area High School, 12:30 p.m.

T-Ball: Both practice at 6 p.m.

Jr. Teener: hosts Sisseton, 2 games, 6 p.m.

United Methodist: Prayer group, 7 p.m.; PPRC Mtg, Conde, 7:30 p.m.

Friday, June 2

Senior Menu: Stir fry beef with rice, oriental blend vegetables, honey fruit salad, whole wheat bread.

Legion: at Milbank Tourney

U12: Groton scrimmage on Nelson Field, 6 p.m., 2 games

U10: hosts Britton for 1 game, 7:30 p.m., Falk Field. **U8 Blue & Red:** hosts Britton for 2 games, 6 p.m., Falk Field

Saturday, June 3

Legion: at Milbank Tourney

U10: at Aberdeen Tourney (vs. Jamestown Blue at 10:30 a.m. and Milbank at 2:30 p.m.)

U12: at Aberdeen Tourney (vs. Welke at 9:30 a.m. and Mobridge at 1:30 p.m.)

Sunday, June 4

St. John's Lutheran: Worship with communion, 9 a.m.

Emmanuel Lutheran: Worship at 9 a.m.

United Methodist Church: Conde worship with communion, 9 a.m.; coffee fellowship time, 10 a.m., Groton worship with communion, 11 a.m.

Catholic Parish: Mass at St. Elizabeth Ann Seton Catholic Church at 9 a.m., then at St. Joseph in Turton at 11 a.m.

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 2 of 31

Results of the Board of Directors Election

The votes have been tabulated regarding the election for the open position on the SDHSAA Board of Directors. All SDHSAA member schools were entitled to vote in this election. An assistant or vice principal/ athletic or activities director who devotes time to athletics/activities would be eligible for the seats open to athletic/activities directors; athletic/activities directors who teach would be eligible for those seats open to athletic/activities directors. The Division II Representative member may be nominated from any SDHSAA member school with a 2014-2015 ADM from 919.906 to 517.783. The Division II schools include Watertown High School with a 2014-2015 ADM of 919.906 to Sioux Falls O'Gorman with an ADM of 517.783. Any member school may nominate a person for this position and all member schools have the opportunity to vote. The person elected will serve a five year term on the SDHSAA Board of Directors and unable to run for reelection. Member schools eligible to serve include: Watertown, Aberdeen Central, Brookings, Yankton, Pierre, Mitchell, Harrisburg, Douglas, Huron, Sturgis, and SF O'Gorman. Brandon Valley was not eligible as Brandon Valley has a member on the current SDHSAA Board of Directors.

The Division II Position will be filled by Mr. Steve Moore. Mr. Moore is the activities director at Watertown High School. The term of this position is five years in length and is scheduled to end on June 30, 20.

Results of Constitutional Amendment Ballot

2017 Constitutional amendment ballot results

The South Dakota High School Activities Associations member schools were asked to vote on one (1) constitutional amendment to the SDHSAA Constitution and Bylaws, which, if passed, would become effective July 1, 2017. For an amendment to become effective, it must receive a 60% majority vote to pass. The amendment and results are as follows:

M. TRANSFER OF ATHLETIC ELIGIBILITY FOR SDHSAA OPEN ENROLLMENT STUDENTS. Any student who transfers from a member high school to another member high school shall be eligible to participate in interscholastic athletics provided such student has met the standards for SDHSAA athletic open enrollment as defined in the following paragraph:

1. SDHSAA athletic open enrollment students transferring from one high school to another must have the school (s)he leaves file a transcript of credits with the principal of the school to which (s)he is transferring. Until such transcript is filed the student is ineligible. In order for SDHSAA athletic open enrollment students to be eligible immediately for participation in interscholastic athletics of the SDHSAA, the student must both: (1) be enrolled on the first day of the school year at the school they are open enrolling to, and, (2) have not competed in any SDHSAA sanctioned athletic contest at the school they are open enrolling from during that school year's athletic season. Member schools must have the necessary athletic open enrollment papers filed with the SDHSAA office prior to allowing athletic open enrollment students the opportunity to play. Until such athletic open enrollment paperwork is filed, the student is ineligible.

2. For students who do not meet these criteria:

a. SDHSAA athletic open enrollment students enrolled in a SDHSAA member school which operates a five (5) day week shall become eligible on the forty-sixth (46th) scheduled day of school provided all other SDHSAA regulations are met. Member schools must have the necessary athletic open enrollment papers filed with the SDHSAA office prior to allowing athletic open enrollment students the opportunity to play. Until such athletic open enrollment paperwork

is filed, the student is ineligible.

b. SDHSAA athletic open enrollment students enrolled in an SDHSAA member school which operates a four (4) day week shall become eligible on the thirty-seventh (37th) scheduled day of school provided all other SDHSAA regulations are met. Revised 2005 Member schools must have the necessary athletic open enrollment papers filed with the SDHSAA office prior to allowing athletic open enrollment students the opportunity to play. Until such athletic open enrollment paperwork is filed, the student is ineligible.

3. In addition, all such students must meet all other eligibility requirements.

4. For purposes of this Bylaw "standards for open enrollment" shall mean such standards authorized by

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 3 of 31

a public school board as required by SDCL §13-28-40 through and including SDCL §13-28-47. In the case of a non-public school, such comparable standards and time-

lines, as set forth in SDCL §13-28-40 through and including SDCL §13-28-47 would be applicable to such school.

5. In such cases, eligibility is applicable to the initial SDHSAA athletic open enrollment transfer only. Any subsequent SDHSAA athletic open enrollment transfer to another high school shall render the student ineligible for one year with one exception.

The exception: In the event a student returns to: (1) his/her former school; or (2) where his/her parents reside, the student will not be eligible until the beginning of the following school year.

NOTE: The open enrollment statutes SDCL §13-28-40 through §13-18-47 do not change the Bylaws of the SDHSAA. Thus Chapter II, Part I, Section 1, Sub-Sections (a) and (f) apply to sports eligibility for all open enrollment students.

* Once enrolled in a nonresident district or non-assigned school, the student may remain enrolled and is not required to resubmit annual applications.

* Students who open enroll from one school in a cooperative to the other school(s) in the same cooperative will not have to sit out the 45/36 school day waiting period providing all school(s) in the cooperative coop in all athletic activities in the same gender. Minutes-November 25, 2002

NOTE: See State Statutes section of Athletic Handbook for Open Enrollment Options between North Dakota and Minnesota.

Amendment # 1:

Those voting in favor of passage: 153

Those voting against passage: 2

Amendment passed with a 98.7% majority vote.

State Parks Host Hikes, Events on National Trails Day

PIERRE, S.D. – Parks across the state are celebrating National Trails Day this weekend. Hikes, activities and programs are being held in parks to recognize the state's trails.

Friday, June 2 – Sunday, June 4

Ft. Sisseton Historical Festival, Fort Sisseton Historical State Park, Lake City. 4 p.m. CT. Info: 607.448.5474 Saturday, June 3

National Trails Day Hike, Oakwood Lakes State Park, Bruce. 10 a.m. CT. Info:605.627.5441 National Trails Day Hike: Little Devil's Tower Trail, Custer State Park, Custer. 1 p.m. MT. Info: 605.255.4515 National Trails Day Hike: Prairie Trail, Custer State Park, Custer. 9 a.m. MT. Info:605.255.4515 National Trails Day Hike: Badger Clark Trail, Custer State Park, Custer. 4 p.m. MT Info: 605.255.4464 Archery for Beginners, North Point Recreation Area, Pickstown. 10 a.m. CT. Info: 605.487.7046 Archery, Lewis and Clark Recreation Area, Yankton. 2 p.m. CT. Info: 605.668.2985 Wolves Prairie Trail Hike, Richmond Lake Recreation Area, Aberdeen. 6 p.m. CT. Info: 605.626.3488 For more information on activities in South Dakota State Parks, visit gfp.sd.gov, contact the individual park office or call 605.773.3391.

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 4 of 31



Thanks to Thrivent Financial, money was donated for the flowers at the Community Center. Pictured above is Ruby Donovan, Senior Citizens President, and Lee Schinkel.

Fort Sisseton Annual Historical Festival This Weekend

PIERRE, S.D. – On June 2-4, Fort Sisseton will host its 40th annual historical festival. The Department of Game, Fish and Parks (GFP) expects a large turnout, with previous years bringing in over 15,000 visitors.

The three-day event allows visitors to relive history in a re-enactment of frontier life. Scenes of early settlement set the stage with muzzleloaders, riflemen and more participating in a rendezvous gathering. The rendezvous is complete with fur traders and both military and teepee encampment sites. Rendezvous traders and campers will compete in Tomahawk throws and black powder shoots.

The event features food and craft vendors throughout the weekend. The historical festival offers activities to showcase frontier life such as fiddle music, period oriented dance instruction classes, arts and craft shows and a costume ball.

The festival charges a \$5 admission fee or \$25 per night to camp onsite during the event.

For the full schedule and other information, visit: gfp.sd.gov/state-parks/directory/fort-sisseton/festivalevents/historical-festival.aspx.

For camping reservations: campsd.com or 1.800.710.2267.

Fort Sisseton Historic State Park is located ten miles southwest of Lake City, S.D., off US Highway 10.

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 5 of 31

J.W. Parmley and his Quest for Good Roads Long before the television show "The

Long before the television show "The Amazing Race," Joseph Parmley was making what one newspaper described as "the most remarkable run in the history of the state."

"This is an important day in the history of the Yellowstone Trail," read an article in the Pierre Weekly Free Press referring to an event on May 15, 1915. "At 4 o'clock this morning, J.W. Parmley, of Ipswich, president of the association, left Lemmon in a Studebaker Six for a trip across the state, which he expects to finish at Ortonville, Minn., at 8 o'clock this evening, making the 349 miles in 16 hours."

It was a feat many considered impossible. Parmley, 1861-1940, was a driving force behind the establishment of the Yellowstone Trail Association in 1912. The association's goal was to create a high-class transcontinental highway from Plymouth Rock to Puget



Sound with the hope it would attract travelers to Yellowstone National Park and open the Northwest to tourists.

At the time, roads weren't marked, there were few maps and mud was the usual road surface.

Parmley set out to prove that travelers from the east need not fear selecting the Yellowstone Trail as the route west by dashing off in the dawn to travel the entire distance of the Trail in South Dakota in less than a day.

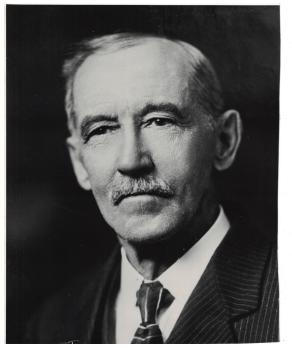
A race driver from Kansas City, W.R. Payne, drove the Studebaker Six that was furnished by W.C. Nissen, the Studebaker distributor in Aberdeen. Parmley and Payne were accompanied by a mechanic and representatives of Aberdeen newspapers. Accounts of the journey were given in the Aberdeen Daily News and Aberdeen Daily American.

Cheering crowds in every town along their route sped the party on its way. The racers also encountered the nemesis of travelers: muddy roads.

Despite losing track of the trail and plowing through mud hubdeep, the group arrived in Aberdeen at 2 p.m., only 10 minutes behind schedule.

"Hundreds of people lined the streets to see the car arrive and at the W.C. Nissen garage a huge crowd had collected, which set up a mighty cheer as the car swept down the street and slid into the garage on high gear," read the Aberdeen Sunday American, the Sunday edition of the Aberdeen Daily American. "The crowd swarmed up to the car in their enthusiasm and it was with difficulty that the waiting mechanicians adjusted new (mud) chains to all the tires and filled the gasoline tank."

Good roads between Aberdeen and Ortley enabled the car to



Photos of Parmley are courtesy of Ray Kub of the J.W. Parmley Historical Home.



Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 6 of 31

reach Ortley exactly on schedule. The party was ready for a flying trip down the grade into Big Stone City. "Upon leaving Marvin, however, they encountered the worst piece of road on the trip," read the article in the Aberdeen Sunday American. "The road was in many places covered with water from the rains, which had assumed almost the magnitude of a cloud burst. The grade through here is rather low, necessitating the car to travel on intermediate and low speed the entire distance. As was the case along the western

part of the trip, the carburetor filled with water from the road bed, necessitating a stop to drain it."

The band was playing and crowds had gathered when the mud-plastered Studebaker arrived at Ortonville at 8:15 p.m.

The vehicle failed to make the run in 16 hours, "but everybody there considered that despite this fact the car had made the most remarkable run in the history of the state, and with decent weather could have cut two hours from the running time easily."

Parmley became known as "The Father of the Yellowstone Trail," now U.S. Highway 12. A man of vision and action, he helped bring about the International Peace Garden and advocated for many special projects such as soil conservation, diversified farming, building dams to create artificial lakes and beautifying towns by planting flowers on vacant lots.

He was named to the South Dakota Highway Hall of Fame in 1972 and the South Dakota Cowboy and Western Heritage Hall of Fame in 1981. His house in Ipswich is listed on the National Register of Historic Places. The J.W. Parmley Historical Home and the Parmley Western Land Office in Ipswich are maintained as museums.

This moment in South Dakota history is provided by the South Dakota Historical Society Foundation, the nonprofit fundraising partner of the South Dakota State Historical Society at the Cultural Heritage Center in Pierre. Find us on the web at www.sdhsf.org. Contact us at info@sdhsf.org to submit a story idea. -30-



Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 7 of 31

Today in Weather History

May 31, 1960: A late evening thunderstorm cut a path of destruction, principally from high winds from Beadle County, northeast to Roberts and Grant Counties. Twelve head of cattle electrocuted for a downed high tensions wire occurred at Wolsey. Winds with gusts of 65 to 75 mph were observed at Huron and Watertown. A grain elevator tipped over, and a windmill was destroyed near Willow Lake. A Steel corn crib was blown over at Hayti and damaged occurred to other farm buildings and implements.

1830: Shelbyville, Tennessee was turned into "a heap of ruins" as a tornado moved east through the center of the town. This tornado destroyed 15 homes and 38 businesses along with churches and other public buildings. Losses were estimated to be as high as \$100,000. A book was said to be carried seven miles away.

1889: The Johnstown, Pennsylvania disaster occurred, the worst flood tragedy in U.S. history. Heavy rains collapsed the South Fork Dam sending a thirty-foot wall of water rushing down the already flooded Conemaugh Valley. The wall of water, traveling as fast as twenty-two feet per second, swept away all structures, objects, and people. 2100 persons perished in the flood.

1941 - Thunderstorms deluged Burlington KS with 12.59 inches of rain to establish a 24 hour rainfall record for the state. (The Weather Channel)

1985 - Severe thuunderstorms spawned forty-one tornadoes across the Lower Great Lakes Region and southeastern Ontario which killed 74 persons. (Storm Data)

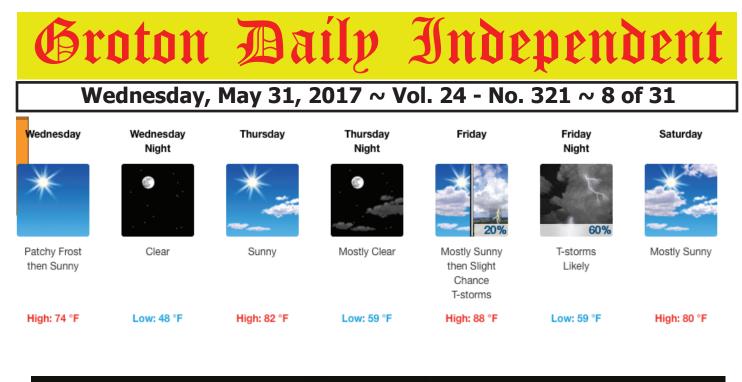
1987 - Thunderstorms in New England produced wind gusts up to 90 mph at Worcester, MA, and Northboro, MA, and hail an inch and a half in diameter at Williston, VT. Unseasonably hot weather prevailed in the northeastern U.S. The afternoon high of 94 degrees at Portland, ME, was a record for the month of May. (Storm Data) (The National Weather Summary)

1988 - Hot and humid weather prevailed in the eastern U.S. Thirteen cities reported record high temperatures for the date. Cape Hatteras, NC, reported their first ninety degree day in May in 115 years of records. "Dust buster" thunderstorms in northwest Texas drenched Amarillo with more than three inches of rain. (The National Weather Summary)

1989 - Thunderstorms produced severe weather and torrential rains in northern Indiana, northern Ohio and southern Lower Michigan. Saint John IND was drenched with four inches of rain in two hours, and Woodland MI was deluged with two inches in twenty minutes. Pittsburgh PA reported a record 6.55 inches of rain for the month of May, with measurable rain reported on twenty-five days during the month. (The National Weather Summary)

1990 - Afternoon and evening thunderstorms developing along a warm front produced severe weather from northwest Texas to southeastern Louisiana. The thunderstorms spawned sixteen tornadoes, including thirteen in northwest Texas. One tornado hit the town of Spearman, TX, causing more than a million dollars damage, and seven other tornadoes were reported within twenty-five miles of Spearman. Thunderstorms over northwest Texas also produced baseball size hail at Monahans, and wind gusts to 80 mph at Paducah. (The National Weather Summary) (Storm Data)

2013: The 2nd of the top 10 weather events for 2013 was EL Reno, Oklahoma tornado of May 31, 2013. Part of the multiday storm outbreak caused \$2 billion in damage. The EF3 that traveled through the western suburbs of Oklahoma City was the largest tornado ever observed with a width of 2.6 miles. It took eight lives including four tornado chasers.





Your search for warmer weather is nearly over, as warming temperatures will be the theme over the next few days. Highs will be in the 70s today. Expect lows in the upper 40s to mid 50s tonight, before rebounding into the 80s Thursday afternoon. Dry weather will continue through at least Friday morning as high pressure exits at the surface, and a ridge of high pressure builds in aloft.

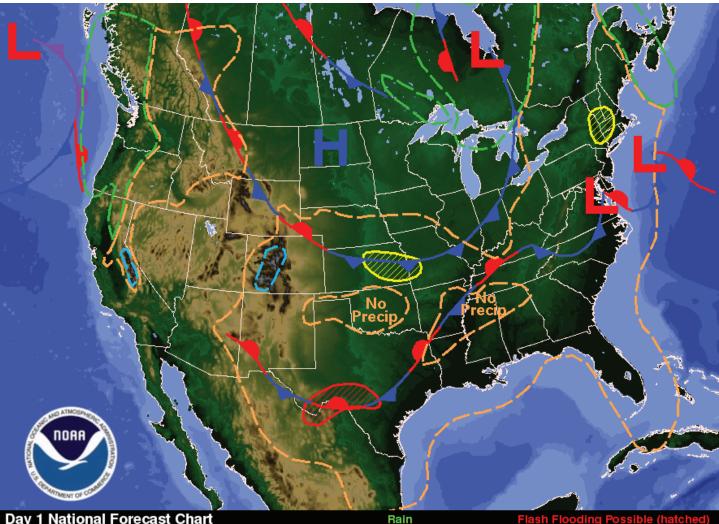
Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 9 of 31

Yesterday's Weather High Outside Temp: 63.0 F at 5:42 PM

High Outside Temp: 63.0 F at 5:42 PM Low Outside Temp: 43.2 F at 6:42 AM High Gust: 27.0 Mph at 11:39 AM Precip: 0.00

Today's Info Record High: 100° in 1934

Record High: 100° in 1934 Record Low: 23° in 1897 Average High: 73°F Average Low: 49°F Average Precip in May: 3.11 Precip to date in May: 1.21 Average Precip to date: 7.14 Precip Year to Date: 3.19 Sunset Tonight: 9:14 p.m. Sunrise Tomorrow: 5:48 a.m.



Day 1 National Forecast Chart Valid Wed, May 31, 2017, issued 4:48 AM EDT DOC/NOAA/NWS/NCEP/Weather Prediction Center Prepared by Mcreynolds with WPC/SPC/NHC forecasts

Rain Rain and T'Storms Rain and Snow Snow Flash Flooding Possible (hatched) Severe T'Storms Possible (hatched) Freezing Rain Possible (hatched) Heavy Snow Possible (hatched)

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 10 of 31



GOD OUR SUPPLIER

How do we know we can count on God to supply our needs? Can we be assured that he will hear and help us when we ask for His assistance? If - and we must take into account the little word if - we meet two important conditions that He has established.

Psalm 145:19 is interpreted correctly in the Living Psalms to read: "He fulfills the desires of those who reverence and trust Him; He hears their cries for help and rescues them."

Reverence leads to respect and respect to honor. If we honor God and if our requests are in agreement with His nature and character, what we ask for will be consistent with what He intends for us to have. When we ask for lavish and unnecessary things that will not honor Him we only deceive ourselves. Extravagance always makes a mockery of prayer and displays an irreverence to Him.

Years ago, while in college, I had a post office box that could only be opened with the right combination of letters and numbers. When I turned the small dial to the right sequence, the door would open and I could get my mail.

So it is with prayer. When we use the "right combination" of reverence and trust and our requests coincide with His plan and purpose for our lives, the "combination" will "work" and He will grant our requests.

Remember: when "my will" is consistent with "His will" prayers will be answered, God will be honored, lives changed, and His purpose accomplished on earth.

Prayer: Lord, may our lives revere, respect and honor You and our requests be consistent with Your nature. In Jesus' Name, Amen.

Scripture for Today: Psalm 145:19 He fulfills the desires of those who fear him; he hears their cry and saves them.

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 11 of 31

News from the Associated Press

SD Lottery By The Associated Press

PIERRE, S.D. (AP) _ These South Dakota lotteries were drawn Tuesday:

Mega Millions

05-20-32-37-67, Mega Ball: 5, Megaplier: 5

(five, twenty, thirty-two, thirty-seven, sixty-seven; Mega Ball: five; Megaplier: five) Estimated jackpot: \$65 million

Powerball Estimated jackpot: \$302 million

Farm Credit Services starts \$2 million expansion in Aberdeen

ABERDEEN, S.D. (AP) — Farm Credit Services has started work on a \$2 million expansion in Aberdeen. The American News reports (http://bit.ly/2rQW4HV) that the 1,600-square-foot project is scheduled to be completed in summer or fall 2018.

Farm Credit Services offers credit, financial and risk management services for farmers and ranchers. Vice president Terry Fjeldheim says the Aberdeen expansion will address a lack of space and upgrade the design of the office that opened in 2009.

Depending on growth and the farm economy, Farm Credit Services might add employees in Aberdeen once construction is finished.

Information from: Aberdeen American News, http://www.aberdeennews.com

South Dakota farmers dealing with cold temps, dry soil

SIOUX FALLS, S.D. (AP) — Farmers in South Dakota are dealing with cold weather and continued dry conditions.

The U.S. Department of Agriculture says below normal temperatures continued for many areas of the state during the week ending Sunday, and patchy frost was reported in central counties as temperatures fell below freezing Wednesday morning.

Soil continued to dry out as mostly dry weather persisted across the northern tier of South Dakota. Topsoil moisture was rated 14 percent very short and 24 percent short, with 56 percent adequate and 6 percent surplus.

Corn planting was 95 percent, near last year's 91 percent and the five-year average of 94 percent. Seventy-four percent of corn had emerged, ahead of last year's 63 percent and the average of 68 percent. Soybean plantings were 72 percent, same as last year.

'Pink slime' defamation trial set to start in South Dakota

By JAMES NORD, Associated Press

SIOUX FALLS, S.D. (AP) — Jury selection starts Wednesday in a more than \$1 billion defamation case over ABC news reports on a South Dakota meat producer's lean, finely textured beef product, which critics have dubbed "pink slime." The trial in state court is scheduled to last until late July.

A look at the case:

WHAT'S THE CASE MADE OF?

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 12 of 31

Dakota Dunes-based Beef Products Inc. sued the television network in 2012, saying ABC's coverage misled consumers into believing the product is unsafe and led to the closures of three plants and layoffs of roughly 700 workers. The reports emphasized that the product at the time was present in 70 percent of the ground beef sold in supermarkets, but wasn't labeled. ABC's attorneys have argued that in each of its broadcasts, the network stated that the U.S. Department of Agriculture deemed the product safe to eat.

WHAT IS LEAN, FINENLY TEXTURED BEEF?

The product can be added to ground beef to reduce the overall fat content. It's made from trimmings left after a cow is butchered. The meat is separated from the fat, and ammonia gas is applied to kill bacteria. Former USDA microbiologist Gerald Zirnstein named the product "pink slime" in a 2002 agency email. He is among several people who have been dismissed from the lawsuit, including ABC anchor Diane Sawyer, leaving just the network and correspondent Jim Avila as defendants.

WHAT HAPPENED?

After the reports aired, some grocery store chains said they would stop carrying ground beef that contained the product. BPI claims sales declined from about 5 million pounds per week to less than 2 million pounds per week. Steve Kay, editor and publisher of Cattle Buyers Weekly, said the fatty trimmings that BPI used for its product lost more than half their value, but the market "recovered fairly quickly."

LEGAL ISSUES

BPI must show that ABC and Avila made defamatory implications or statements, and that they either knew the statements were false or acted with reckless disregard for the truth. The company also must prove that ABC hurt BPI.

"We look forward to the opportunity to present our case and establish for the jury that BPI has suffered significant financial harm because of the wrongful conduct by ABC," BPI attorney Dan Webb said in a statement.

ABC stands by its reporting. It says in court documents that it accurately presented views and information from "knowledgeable sources on a matter of keen public interest." It says there isn't a "shred of evidence" that ABC meant to convey that the product is unsafe for consumption. The network also disputes that it meant to imply that the product isn't nutritious or isn't a beef product. ABC's attorneys have also argued that the term "pink slime" accurately describes the texture and color of lean, finely textured beef.

"We are confident that when all the facts are presented in court, ABC's reporting will be fully vindicated," said attorney Kevin Baine.

Jane Kirtley, a University of Minnesota media law professor who has followed the case, said the reaction shows people are concerned about what's in their food.

"I think the question is whether you want powerful industries to be able to basically suppress reporting like this on the grounds that it might have a negative impact on their bottom line," she said.

THE DAMAGES

The actual damages BPI is seeking could be as high as \$1.9 billion, according to a U.S. Securities and Exchange Commission filing from Disney, which owns ABC. BPI is also seeking "treble" damages, or triple the amount, under South Dakota's Agricultural Food Products Disparagement Act and punitive damages.

ABC has disputed BPI's actual damage figure. The network has also argued that punitive and treble damages can't be recovered and is challenging the constitutionality of South Dakota's treble damage provision.

HOW MIGHT IT PLAY OUT?

Kirtley believes ABC has a good defense, but said she's "not really optimistic" that the network will prevail at the trial court level, given a climate of general hostility toward the press. "If they don't use the phrase 'fake news,' I'll be shocked, because it's something that will resonate with a jury," Kirtley said.

But she said historically news organizations fare better on appeal. A 2016 study from the Media Law

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 13 of 31

Resource Center found that from 1980 through 2015, media defendants won 41.4 percent of trial verdicts. The study says that after trial, post-trial motions, and appeals, media defendants prevailed in 56 percent of tried cases.

Follow James Nord on Twitter at https://twitter.com/Jvnord

Dakota Access pipeline, law officers had close relationship By BLAKE NICHOLSON, Associated Press

BISMARCK, N.D. (AP) — A private security firm hired by the developer of the \$3.8 billion Dakota Access pipeline conducted an aggressive, multifaceted operation against protesters that included a close working relationship with public law enforcement, documents obtained by an online magazine indicate.

Native American groups that opposed the pipeline say the report from The Intercept lends credence to their belief that law enforcement favored private industry in the monthslong dispute. But law enforcement and Texas-based pipeline developer Energy Transfer Partners say their concern was everyone's safety.

The Dakota Access pipeline will move North Dakota oil to a distribution point in Illinois. ETP plans to begin commercial operations Thursday. The company says the pipeline is safe, but opponents fear environmental harm.

Thousands of protesters last year descended on a camp set up in North Dakota near a section of the pipeline that runs under a Missouri River reservoir upstream from the Standing Rock Sioux reservation. Pipeline opponents frequently clashed with police, and 761 arrests happened between August and February.

The documents show that ETP hired security firm TigerSwan, which was founded by retired military special forces members. The Intercept posted some of the documents it obtained online. It said it received more than 100 documents from a TigerSwan contractor and more than 1,000 through public records requests.

TigerSwan used military-style counter-terrorism measures against what it considered "an ideologically driven insurgency," the documents show. Its tactics included protest camp flyovers, video surveillance, social media monitoring, public relations — described in one document as "pro-DAPL propaganda" — and interactions with law enforcement. That included placing a liaison in the law enforcement operations center.

"Excellent comments from lead LEOs (Law Enforcement Officers) today regarding planning and communication from our personnel," says a TigerSwan report from Sept. 14.

The relationship was heavily criticized Tuesday by the Lakota People's Law Office.

"Rather than one-sidedly protecting the private interests of oil corporations, these state and federal law enforcement agencies should have been also protecting the constitutional rights of those who were being criminally conspired against, disrupted, and physically attacked by the oil company's private mercenary army of Middle East-based anti-terrorist specialists," Chief Counsel Daniel Sheehan said in a statement.

Indigenous Environmental Network organizer Dallas Goldtooth said in a statement that "police and security were essentially given permission to carry out war-like tactics" on protesters.

One particularly violent clash happened in late November, when protesters trying to push past a blocked highway bridge were turned back by authorities using tear gas, rubber bullets and water sprays. Police said protesters were throwing rocks, asphalt and water bottles at officers.

The Morton County Sheriff's Office, which spearheaded the response to the protests, said its communications with TigerSwan security weren't unusual and "gave law enforcement situational awareness in order to monitor and respond to illegal protest activity."

ETP said in a statement that "the safety of our employees and the communities in which we live and work is our top priority. In order to ensure that we do have security plans in place, we do communicate with law enforcement agencies as appropriate."

Follow Blake Nicholson on Twitter at: http://twitter.com/NicholsonBlake

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 14 of 31

Blackjack dealer pleads guilty to stealing \$10K from casino WATERTOWN, S.D. (AP) — A South Dakota blackjack dealer has pleaded guilty to stealing \$10,000 from

WATERTOWN, S.D. (AP) — A South Dakota blackjack dealer has pleaded guilty to stealing \$10,000 from his then-employer.

The Aberdeen News (http://bit.ly/2qvv0hz) reported that Jeremy Brown pleaded guilty in federal court this month to a felony conspiracy charge. Court documents allege he worked with three others to steal money from Dakota Sioux Casino near Watertown in December 2015 and January 2016.

A second charge of theft by an employee of a gaming establishment on Indian land and aiding and abetting was dismissed. According to a plea agreement, he'll pay \$2,000 in restitution.

Jordan Rondell, Lito Bolocon and Fern Gillhave have pleaded not guilty to felony conspiracy and felony theft by an employee of a gaming establishment on Indian land and aiding and abetting. They'll go to trial in federal court in Aberdeen in July.

Brown and Gill were blackjack dealers at the casino, Bolocon was the pit boss supervising the blackjack gaming area and Rondell was a card player, according to court documents. Brown and Gill allegedly paid Rondell for bets on losing hands, which Bolocon is accused of knowingly allowing. Brown, Gill and Bolocon are accused of receiving a portion of the payments, court documents said. They were all indicted in February.

Brown is scheduled to be sentenced in August.

Dakota Sioux Casino is located on the Lake Traverse Indian Reservation and operated by the Sisseton Wahpeton Oyate.

Information from: Aberdeen American News, http://www.aberdeennews.com

Minority leader to announce political plans

PIERRE, S.D. (AP) — South Dakota Senate Minority Leader Billie Sutton will soon announce his political future plans.

Sutton says he'll make an announcement Wednesday at his ranch in Burke. Last month Sutton said he was considering a run for governor or the U.S. House next year.

The investment consultant and former rodeo rider has served as a member of the state Senate since 2011 representing District 21 in south central South Dakota.

Sutton's father was the Democratic candidate for lieutenant governor in 1978.

9 campaigning to unseat Standing Rock Sioux chairman

FORT YATES, N.D. (AP) — Nine people are campaigning to unseat Standing Rock Sioux Chairman Dave Archambault.

Archambault became a national public figure during protests against the Dakota Access oil pipeline. He tells The Bismarck Tribune (http://bit.ly/2seQBaa) that he didn't plan to seek re-election, but a number of people urged him to reconsider.

Several candidates say the pipeline protest movement raised awareness of tribal issues, and they hope to build on that momentum.

It's not unusual for tribal chairman races to have a large number of candidates. The top three vote-getters in a July 19 primary will move on to the general election in September.

State won't pursue taxes from Sioux Falls Farmers Market

SIOUX FALLS, S.D. (AP) — State officials say they won't be pursuing tourism taxes from Sioux Falls Farmers Market vendors after all.

Falls Park Farmers Market reached a deal with the state last week to end a longstanding tax disagreement. The market agreed to pay a 1.5 percent tourism tax going forward, with the state forgiving three years of back taxes.

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 15 of 31

Secretary of Revenue Andy Gerlach reviewed the decision. He tells the Argus Leader (http://argusne. ws/2qvF7CP) that he determined the tourism tax shouldn't apply to local food growers, even if the market is located at a park that's one of the city's top tourist attractions.

Information from: Argus Leader, http://www.argusleader.com

A tough month for pizza delivery drivers in Sioux Falls

SIOUX FALLS, S.D. (AP) — It's been a tough month for pizza delivery drivers in Sioux Falls. Police say a driver was robbed of cash at knifepoint after finishing a delivery on Monday.

The Argus Leader reports it was the third such incident in roughly a month's time. A driver reported the theft of cash and a cellphone earlier this month, and in late April a woman said she defended herself from two men with knives by hitting them with one of her pizzas.

Russia fires cruise missiles, targets IS positions in Syria By NATALIYA VASILYEVA, Associated Press

MOSCOW (AP) — Russians warships in the Mediterranean Sea have fired four cruise missiles at the Islamic State group's positions in Syria, the Russian defense ministry said on Wednesday.

The announcement came as Syrian government troops pushed ahead in their offensive against IS and militants in central and northern Syria.

Moscow said in a statement that the Admiral Essen frigate and the Krasnodar submarine launched the missiles at IS targets in the area of the ancient town of Palmyra. There was no information on when the missiles were launched.

Syrian troops have been on the offensive for weeks in northern, central and southern part of the country against IS and U.S.-backed rebels under the cover of Russian airstrikes, gaining an area almost half the size of neighboring Lebanon.

Most recently, Syrian troops and their allies have been marching toward the IS stronghold of Sukhna, about 60 kilometers (37 miles) northeast of Palmyra.

The strategic juncture in the Syrian desert aids government plans to go after IS in Deir el-Zour, one of the militants' last major strongholds in Syria. The oil-rich province straddles the border with Iraq and is the extremist group's last gateway to the outside world.

Russia, a staunch Damascus ally, has been providing air cover to Syrian President Bashar Assad's offensive on IS and other insurgents since 2015. Moscow had fired cruise missiles from warships in the past, as well as from mainland Russia against Assad's opponents.

As the fighting against IS militants is underway near Palmyra, Syrian troops clashed with U.S.-backed rebels in the country's south on Wednesday, according to the Britain-based Syrian Observatory for Human Rights and Mozahem al-Salloum, of the activist-run Hammurabi Justice News network that tracks developments in eastern Syria.

The fighting came days after the United States told Syrian government forces and their allies to move away from an area near the Jordanian border where the coalition is training allied rebels.

The warning comes less than two weeks after the Americans bombed Iranian-backed troops there after they failed to heed similar warnings.

Navy Capt. Jeff Davis, a Pentagon spokesman, said on Tuesday that the U.S. dropped leaflets over the weekend telling the forces to leave the established protected zone.

Syrian troops backed by Russian airstrikes captured Palmyra in March last year and Moscow even flew in one of its best classical musicians to play a triumphant concert at Palmyra's ancient theater. IS forces, however, recaptured Palmyra eight months later, before Syrian government troops drove them out again in March this year.

Russia's defense ministry said its Wednesday statement that the strikes successfully hit IS heavy weapons and fighters whom the group who had deployed and moved to Palmyra from the IS stronghold of Raqqa,

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 16 of 31

the de facto capital of the Sunni militant group and its self-proclaimed caliphate.

Moscow said it had notified the U.S., Turkish and Israeli militaries beforehand of the upcoming strike. It added that the Russian strike was promptly executed following the order, a testimony to the navy's high readiness and capabilities.

Russia has been busy mediating between Assad and Turkey and the West who seek his removal. Earlier this month Russia, Iran and Turkey agreed to establish safe zones in Syria, signing on to a Russian plan under which Assad's air force would halt flights over designated areas across the war-torn country. Russia says maps delineating the zones should be ready by June 4.

Associated Press writer Bassem Mroue in Beirut contributed to this report.

Bombing in diplomatic area of Kabul kills 80, wounds scores By RAHIM FAIEZ and AMIR SHAH, Associated Press

KABUL, Afghanistan (AP) — A massive explosion rocked a highly secure diplomatic area of Kabul on Wednesday morning, killing 80 people and wounding as many as 350, an attack that left a scene of mayhem and destruction and sent a huge plume of smoke over the Afghan capital.

The target of the attack — which officials said was a suicide car bombing — was not immediately known, but Ismail Kawasi, spokesman of the public health ministry, said most of the casualties were civilians, including women and children.

It was one of the worst attacks Kabul has seen since the drawdown of foreign forces at the end of 2014. Associated Press images from the scene showed the German Embassy and several other embassies located in the area heavily damaged in the explosion. It wasn't known if any foreign diplomats were among the casualties but Germany and Pakistan said some of their embassy employees and staff were hurt in the explosion.

The explosion took place at the peak of Kabul's rush hour when roads are packed with worktime commuters. It went off close to a busy intersection in the Wazir Akbar Khan district, said Najib Danish, deputy spokesman for the Interior Ministry.

The neighborhood is considered Kabul's safest area, with foreign embassies protected by dozens of 10-foot-high blast walls and government offices, guarded by police and national security forces. The German Embassy, the Foreign Ministry and the Presidential Palace are all in the area, as are the British and the Canadian embassies. The Chinese, Turkish and Iranian embassies are also located there.

Local TV footage showed shocked residents soaked in blood stumbling about, then being ferried away to hospitals. Passers-by stopped and helped the wounded into their private cars, others congregated outside the nearby Italian-run Emergency Hospital.

No group immediately claimed responsibility for the blast. Both the Taliban and the Islamic State group have staged large-scale attacks in the Afghan capital in the past.

The Afghan Taliban later issued a statement denying any involvement in the bombing and condemning all attacks against civilians. Zabihullah Mujahid, spokesman for the Taliban, said Wednesday's explosion had "nothing to do with the Mujahedeen of Islamic Emirate," as the Taliban call themselves.

But even though the Taliban claim they are only waging war against the Kabul government and foreign forces in Afghanistan, most of the casualties of their attacks have been civilians.

A statement from the Ministry of Interior Affairs said it "condemns in the strongest terms the terrorist attack" that killed so many, including women and children. "These heinous acts go against the values of humanity as well values of peaceful Afghans," it added.

Afghan President Ashraf Ghani also condemned the attack, which came just days into the Muslim holy month of Ramadan. A statement from his office quoted Ghani as saying that "the terrorists, even in the holy month of Ramadan, the month of goodness, blessing and prayer, are not stopping the killing of our innocent people."

Germany's Foreign Minister Sigmar Gabriel said an unspecified number of German Embassy employees

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 17 of 31

in Kabul were hurt in the blast and an Afghan security guard outside the building was killed. Gabriel said all embassy workers were safe and offered his condolences to the family of the slain guard.

Pakistan also denounced the "terrorist attack in Kabul" and its Ministry of Foreign Affairs said it "caused damage to the residences of some Pakistani diplomats and staff, living in the close vicinity, and inflicted minor injuries to some."

China's foreign ministry said its Kabul embassy in Kabul was partly damaged but that all embassy staff were "safe and sound" and that there had been no reports of injured Chinese citizens.

Germany has had troops in Afghanistan for 15 years, primarily concentrated in the north in and around Mazar-E-Sharif. They're currently one of the biggest contributors to the NATO-led Resolute Support mission with around 980 soldiers on the ground to support and train Afghan security forces.

Wednesday's explosion was so heavy that more than 50 vehicles were either destroyed or damaged at the site of the attack. "We don't know at this moment what was the target of the attack," said Danish.

Residents described a mushroom cloud over Kabul and windows were shattered in shops, restaurants and other buildings up to a kilometer (half mile) from the blast site.

"There are a large number of casualties, but I don't know how many people are killed or wounded," said an eyewitness, Gul Rahim.

Kawasi, the health official, said the wounded were admitted to different Kabul hospitals.

Shortly after the explosion, all roads in Wazir Akbar Khan were blocked off by Afghan security forces and helicopters were deployed over the neighborhood.

Last month, the Afghan Taliban announced the beginning of their spring offensive, promising to build their political base in the country while focusing military assaults on the international coalition and Afghan security forces.

U.S. and Afghan forces have been battling the Taliban insurgency for more than 15 years. The United States now has more than 8,000 troops in Afghanistan, training local forces and conducting counterterrorism operations. In the past year, they have largely concentrated on thwarting a surge of attacks by the Taliban, who have captured key districts, such as Helmand province, which U.S. and British troops had fought bitterly to return to the government.

Associated Press writer David Rising in Berlin contributed to this report.

10 Things to Know for Today By The Associated Press

Your daily look at late-breaking news, upcoming events and the stories that will be talked about today: 1. DIPLOMATIC AREA IN KABUL HIT WITH MASSIVE EXPLOSION

Officials say a suicide car bombing in the highly secured area kills at least 80 people and wounds 350 more as the blast sent a huge plume of smoke over the Afghan capital.

2. RUSSIAN WARSHIPS HIT ISLAMIC STATE GROUP POSITIONS IN SYRIA

Moscow says its missiles hit the extremists' heavy weapons and fighters whom the group deployed and moved to Palmyra from its stronghold of Raqqa.

3. TRUMP TO WORLD LEADERS: CALL ME MAYBE - ON MY CELLPHONE

The move is an unusual invitation that breaks diplomatic protocol and raises concerns about the security and secrecy of the U.S. commander in chief's communications.

4. FLYNN AGREES TO PROVIDE SOME REQUESTED DOCUMENTS

The former national security adviser will provide records to the Senate intelligence committee as part of its probe into Russia's meddling in the 2016 election, the AP learns.

5. PENTAGON MISSILE DEFENSE PROGRAM SCORES A WIN

The oft-criticized system destroyed a mock warhead over the Pacific with an interceptor that is key to protecting U.S. territory from a North Korean attack.

6. WHAT PORTLAND SUSPECT ALLEGEDLY SAID AFTER ATTACK

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 18 of 31

Jeremy Joseph Christian, charged with fatally stabbing two men who tried to shield young women from an anti-Muslim tirade in Oregon, appeared to brag about the attacks after his arrest, saying "that's what liberalism gets you," court documents say.

7. WHY KIM JONG UN CLINGS TO NUCLEAR PROGRAM

North Korean propaganda shows how Pyongyang has a very deliberate strategy to ensure the survival of its ruling regime, AP finds.

8. HOW PEOPLE FEEL ABOUT GOP HEALTH CARE BILL

Trump calls the House-passed legislation a "great plan," but a new poll finds that three out of four Americans do not believe it fulfills most of his promises.

9. PALESTINIAN 'POWER' STRUGGLE LITERAL TOO

Gaza's 2 million people endure daily electricity cuts of 14 to 18 hours at a time and now face even longer blackouts because of an escalating power struggle between Palestinian governments.

10. NEST LABS ADDS GOOGLE'S FACIAL RECOGNITION TECHNOLOGY

A high-resolution security camera would provide a glimpse at the potential for increasingly intelligent computers to see and understand everything going on in people's homes.

Arrested, missing China activists spark criticism of Trump By ERIKA KINETZ, Associated Press

SHANGHAI (AP) — The arrest and disappearance of three labor activists investigating a Chinese company that produces Ivanka Trump-branded shoes in China prompted a call for her brand to cease working with the supplier and raised questions about whether the first family's commercial interests would muddy U.S. leadership on human rights.

The men were working with a U.S. nonprofit to publish a report next month alleging low pay, excessive overtime and possible misuse of student labor, according to China Labor Watch executive director Li Qiang, who lost contact with the investigators over the weekend. China Labor Watch has been exposing poor working conditions at suppliers to some of the world's best-known companies for nearly two decades, but Li said his work has never before attracted this level of scrutiny from China's state security apparatus.

The arrest and disappearances come amid a crackdown on perceived threats to the stability of China's ruling Communist Party, particularly from sources with foreign ties such as China Labor Watch. Faced with rising labor unrest and a slowing economy, Beijing has taken a stern approach to activism in southern China's manufacturing belt and to human rights advocates generally, sparking a wave of critical reports about disappearances, public confessions, forced repatriation and torture in custody.

China Labor Watch's investigation also had an unusual target: a brand owned by the daughter of the president of the United States.

"Ivanka's brand should immediately cease its work with this supplier, and the Trump administration should reverse its current course and confront China on its human rights abuses," Adrienne Watson, spokeswoman for the Democratic National Committee, said in a Wednesday email. Ivanka Trump must decide, she added, "whether she can ignore the Chinese government's apparent attempt to silence an investigation into those worker abuses."

Ivanka Trump's lifestyle brand imports most of its merchandise from China, trade data show. She and her father both have extensive trademark portfolios in China, though neither has managed to build up a large retail or real estate presence here. The sister of Jared Kushner, a Trump adviser and husband of Ivanka, travelled to China this past month to court investment from Chinese families for a real estate project in New Jersey.

"The eagerness of members of the family to do business in China while airbrushing very troubling human rights and labor rights records of the country is troubling," said Nicholas Bequelin, East Asia director for Amnesty International. We'll have to wait and see, he added, "to what extent business is trumping any kind of consideration of the diplomatic capital of the U.S. in promoting human rights, labor rights and democracy." Amnesty International called for the release of Hua Haifeng on Wednesday, as well as his

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 19 of 31

two colleagues, who are feared to have been detained.

White House spokeswoman Hope Hicks referred questions to Ivanka Trump's brand. The Ivanka Trump brand declined to comment.

Abigail Klem, who took over day-to-day management when the first daughter became a White House presidential adviser, has said the brand requires licensees and their manufacturers to "comply with all applicable laws and to maintain acceptable working conditions."

China tightened control over foreign NGOs starting this year by requiring them to register with state security. Chinese Foreign Ministry spokeswoman Hua Chunying said at a regular press briefing Wednesday that she was not aware of the arrest and disappearances. She said China welcomed international NGOs to carry out research, but added, "we also hope that NGOs can also observe Chinese laws and regulations and don't engage in any illegal actions or behavior."

Hua Haifeng was accused of illegal surveillance, according to his wife, Deng Guilian, who said the police called her Tuesday afternoon. Deng said the caller told her she didn't need to know the details, only that she would not be able to see, speak with or receive money from her husband, the family's breadwinner.

Li said China Labor Watch asked police about the Deng and the two other investigators, Li Zhao and Su Heng, on Monday but received no reply. Li added that a friend had tried to file a missing person report on Li Zhao in Jiangxi province, but was told he had to do so in the man's hometown.

AP was unable to reach the other investigators' families. China's Ministry of Public Security and police could not be reached for comment Tuesday, which was a national holiday in China. Calls went unanswered Wednesday morning.

The men were investigating Huajian Group factories in the southern Chinese cities of Ganzhou and Dongguan. Su Heng had been working undercover at the Ganzhou factory since April, Li said.

In January, Liu Shiyuan, then spokesman for the Huajian Group, told AP the company makes 10,000 to 20,000 pairs of shoes a year for Ivanka Trump's brand — a fraction of the 20 million pairs the company produces a year. A current spokeswoman for the company, Long Shan, did not reply to questions Tuesday or Wednesday morning.

Li said investigators had seen Ivanka Trump-brand merchandise, as well as production orders for Ivanka Trump, Marc Fisher, Nine West and Easy Spirit.

"We were unaware of the allegations and will look into them immediately," a spokeswoman for Marc Fisher, which manufactures Ivanka Trump, Easy Spirit and its own branded shoes, said in an email Tuesday. Nine West did not respond to requests for comment.

Li Zhao and Hua Haifeng were blocked from leaving mainland China for Hong Kong in April and May something that had never happened to his colleagues before, Li said. Hua Haifeng was stopped at the border May 25 and later questioned by police, Li said. During their final phone conversation on Saturday, Hua told Li that police had asked him to stop investigating the Huajian factory — another turn of events that Li said was unprecedented.

Li said the men had documented excessive overtime, with working days sometimes stretching longer than 18 hours, and a base salary below minimum wage. They were working to confirm evidence suggesting that student interns — some of whom allegedly quit in protest — were putting in excessive hours on work unrelated to their field of study, in violation of Chinese law, Li said.

Hua's wife, Deng, meanwhile, has yet to tell the couple's children, ages 3 and 7, about their father's plight. But they seem to know anyway, she said.

"My son suddenly burst into tears. He said he missed Papa," Deng said by phone from her home in central China's Hubei province. "I said Papa would come home soon and buy you toys."

She said the child looked at her and answered: "Papa was taken away by a monster."

Associated Press reporter Louise Watt contributed from Beijing and researcher Fu Ting contributed from Shanghai.

Follow Kinetz on Twitter at twitter.com/ekinetz

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 20 of 31

AP Source: Flynn agrees to provide some requested documents By CHAD DAY and JAKE PEARSON, Associated Press

WASHINGTON (AP) — Former National Security Adviser Michael Flynn will provide documents to the Senate intelligence committee as part of its probe into Russia's meddling in the 2016 election, The Associated Press has learned.

Flynn's decision Tuesday came as President Donald Trump's personal attorney, Michael Cohen, rejected a House intelligence committee request for information, and former White House staffer Boris Epshteyn confirmed he has been contacted for information as part of the House investigation.

Meanwhile, Trump and Russian President Vladimir Putin sounded similar tones as they criticized the ongoing U.S. scrutiny of Russia's attempts to sway the presidential election.

Flynn's cooperation was the first signal that he and the Senate panel have found common ground. Congressional investigators continue to press for key documents in the ongoing investigation, and the retired lieutenant general is trying to limit damaging disclosures that hostile Democratic lawmakers could use against him.

Flynn had previously invoked his Fifth Amendment protection against self-incrimination in declining an earlier subpoena from the committee, which sought a wide array of documents and information related to his contacts with Russia. Flynn's attorneys had argued the request was too broad and would have required Flynn to turn over information that could have been used against him.

In response, the Senate panel narrowed the scope of its request. It also issued subpoenas seeking records from Flynn's businesses.

One of the businesses, Flynn Intel Group Inc., did consulting work for a Turkish businessman that required Flynn to register with the Justice Department as a foreign agent earlier this year. The other, Flynn Intel Group LLC, was used to accept money from Flynn's paid speeches. Among the payments was more than \$33,000 Flynn received from RT, the Russian state-sponsored television network that U.S. intelligence officials have branded as a propaganda arm of the Kremlin.

On Tuesday, a person close to Flynn said he will turn over documents related to the two businesses as well as some personal documents the committee sought in the narrower request. Flynn plans to produce some of the documents by next week, said the person, who spoke on condition of anonymity to discuss Flynn's private interactions with the committee.

While the Senate committee awaits documents from Flynn, Putin and Trump both dismissed the U.S. intelligence community's conclusion that the Kremlin interfered in the 2016 U.S. presidential election by hacking Democratic emails.

In an interview with French newspaper Le Figaro, Putin reaffirmed his strong denial of Russian involvement in the hacking. The interview was recorded during Putin's Monday trip to Paris and released Tuesday. Putin also said the allegations are "fiction" invented by the Democrats in order to explain their loss.

Trump made a similar claim in a tweet early Tuesday: "Russian officials must be laughing at the U.S. & how a lame excuse for why the Dems lost the election has taken over the Fake News."

Meanwhile, Cohen, Trump's personal attorney, told the AP that he turned down a request for information from the House intelligence committee looking into the Russian interference.

"I declined the invitation to participate as the request was poorly phrased, overly broad and not capable of being answered," Cohen said. "I find it irresponsible and improper that the request sent to me was leaked by those working on the committee."

Earlier Tuesday, the AP reported, citing a congressional aide, that the House intelligence committee had subpoenaed Cohen. The aide later retracted the statement. Cohen said if he is subpoenaed, he will comply. Cohen, a longtime attorney for the Trump Organization, remains a personal lawyer for Trump. He served

as a cable television surrogate for the Republican during the presidential campaign.

Cohen told ABC News that he had been asked by both the House and Senate intelligence committees to provide information and testimony about contacts he had with Russian officials.

Cohen's ties with Russian interests came up in February when The New York Times reported that Cohen

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 21 of 31

helped to broker a Ukraine peace plan that would call for the withdrawal of Russian troops from Ukraine and a referendum to let Ukrainians decide whether the part of the country seized by Russia in 2014 should be leased to Moscow. The Russian government denied knowing anything about such a plan.

The Times reported that the peace plan was the work of Felix Sater, a business associate who has helped Trump try to find business in Russia, and Cohen.

Cohen was a fierce defender of Trump during the campaign, often haranguing probing reporters and famously challenging a CNN reporter live on-air to name the specific polls that showed then-candidate Trump behind his rival, Hillary Clinton.

In the early 2000s, he formed his own firm working on a range of legal matters, including malpractice cases, business law and work on an ethanol business in Ukraine. Cohen also owned and operated a hand-ful of taxi medallions, managing a fleet of cabs in New York.

Cohen's business associates in the taxi enterprise included a number of men from the former Soviet Union, including his Ukrainian-born father-in-law.

Cohen has made his own unsuccessful attempts at public office, losing a city council race and briefly running for state assembly in New York.

The House intelligence committee has also sought information from Epshteyn, a former staffer in the Trump White House.

Epshteyn said in a statement that he has asked the committee questions to better understand what information it is seeking and will determine whether he can reasonably provide it.

Epshteyn, who grew up in Moscow, worked a short time in the White House press office. He left in March and now works as a political analyst for right-leaning Sinclair Broadcasting.

Associated Press writers Julie Bykowicz, Eileen Sullivan and Deb Riechmann contributed to this report. Pearson reported from New York.

Trump's cellphone diplomacy raises security concerns By VIVIAN SALAMA, Associated Press

WASHINGTON (AP) — President Donald Trump has been handing out his cellphone number to world leaders and urging them to call him directly, an unusual invitation that breaks diplomatic protocol and is raising concerns about the security and secrecy of the U.S. commander in chief's communications.

Trump has urged leaders of Canada and Mexico to reach him on his cellphone, according to former and current U.S. officials with direct knowledge of the practice. Of the two, only Canadian Prime Minister Justin Trudeau has taken advantage of the offer so far, the officials said.

Trump also exchanged numbers with French President Emmanuel Macron when the two spoke immediately following Macron's victory earlier this month, according to a French official, who would not comment on whether Macron intended to use the line.

All the officials demanded anonymity because they were not authorized to reveal the conversations. Neither the White House nor Trudeau's office responded to requests for comment.

The notion of world leaders calling each other up via cellphone may seem unremarkable in the modern, mobile world. But in the diplomatic arena, where leader-to-leader calls are highly orchestrated affairs, it is another notable breach of protocol for a president who has expressed distrust of official channels. The formalities and discipline of diplomacy have been a rough fit for Trump — who, before taking office, was long easily accessible by cellphone and viewed himself as freewheeling, impulsive dealmaker.

Presidents generally place calls on one of several secure phone lines, including those in the White House Situation Room, the Oval Office or the presidential limousine. Even if Trump uses his government-issued cellphone, his calls are vulnerable to eavesdropping, particularly from foreign governments, national security experts say.

"If you are speaking on an open line, then it's an open line, meaning those who have the ability to monitor those conversations are doing so," said Derek Chollet, a former Pentagon adviser and National Security

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 22 of 31

Council official now at the German Marshall Fund of the United States.

A president "doesn't carry with him a secure phone," Chollet said. "If someone is trying to spy on you, then everything you're saying, you have to presume that others are listening to it."

The caution is warranted even when dealing with allies. As German Chancellor Angela Merkel's learned in 2013, when a dump of American secrets leaked by Edward Snowden revealed the U.S. was monitoring her cellphone, good relations don't prevent some spycraft between friends.

"If you are Macron or the leader of any country and you get the cellphone number of the president of the United States, it's reasonable to assume that they'd hand it right over to their intel service," said Ashley Deeks, a law professor at the University of Virginia who formerly served as the assistant legal adviser for political-military affairs in the U.S. State Department.

The practice opens Trump up to charges of hypocrisy. Throughout last year's presidential campaign, he lambasted Democratic rival Hillary Clinton for using a private email server while she was secretary of state, insisting she should not be given access to classified information because she would leave it vulnerable to foreign foes.

Presidents' phone calls with world leaders often involve considerable advance planning. State Department and National Security Council officials typically prepare scripted talking points and background on the leader on the other end of the line. Often an informal transcript of the call is made and circulated among a select group — sometimes a small clutch of aides, sometimes a broader group of foreign policy officials. Those records are preserved and archived.

The White House did not respond to questions on whether the president is keeping records of any lessformal calls with world leaders.

Trump's White House is already facing scrutiny for apparent efforts to work outside usual diplomatic channels.

The administration has been fending off questions about a senior aide's alleged attempt to set up a secret back channel of communication with Moscow in the weeks before Trump was took office. White House adviser Jared Kushner, Trump's son-in-law, met in December with Russia's ambassador to the U.S. and discussed whether a secret line of communication could be used to facilitate sensitive policy discussions about the conflict in Syria, according to a person familiar with the talks. The person demanded anonymity because the person was not authorized to discuss the sensitive conversation by name.

The White House has said such back channel communications are useful and discreet.

Trump has struggled more than most recent presidents to keep his conversations with world leaders private. His remarks to Australian Prime Minister Malcolm Turnbull, Mexican President Enrique Pena Nieto and Russian diplomats have all leaked, presumably after notes of the conversations were circulated by national security officials.

It was unclear whether an impromptu, informal call with a foreign leader would be logged and archived. The Presidential Records Act of 1981, passed in response to the Watergate scandal, requires that the president and his staff to preserve all records related to the office. In 2014, the act was amended to include personal emails.

But the law contains "blind spots" — namely, record-keeping for direct cellphone communications, said Jonathan Turley, a professor at George Washington University Law School, who specializes in public interest and national security law.

Under Barack Obama, the first cellphone-toting president, worries about cyber intrusions — particularly by foreign governments — pulled the president's devices deep into the security bubble. Many of the functions on Obama's BlackBerry were blocked, and a very small handful of people had his phone number or email address, according to former aides.

"Government sometimes looks like a big bureaucracy that has stupid rules, but a lot of these things are in place for very good reasons and they've been around for a while and determine the most effective way to do business in the foreign policy sphere," said Deeks. "Sometimes it takes presidents longer to figure that out."

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 23 of 31

Associated Press writer Sylvie Corbet in Paris contributed to this report.

Top Trump aide exits as wider White House overhaul expected By JILL COLVIN and CATHERINE LUCEY, Associated Press

WASHINGTON (AP) — A top communications aide to President Donald Trump has resigned, in what many inside and outside the White House see as the first shoe to drop before a wider overhaul.

Fresh off Trump's first official trip abroad, his administration is looking for ways to respond more aggressively to allegations of Russian meddling in the 2016 election and revelations of possible ties between Trump's campaign and Moscow.

White House communications director Michael Dubke announced his resignation Tuesday.

Dubke said in a statement it had been an honor to serve Trump and "my distinct pleasure to work side by side, day by day with the staff of the communications and press departments."

However, Trump has privately and publicly pinned much of the blame for his administration's woes on the communications effort.

"In terms of messaging, I would give myself a C or a C plus," Trump said in an interview on Fox News Channel early in his term. "In terms of achievement, I think I'd give myself an A. Because I think I've done great things, but I don't think I have — I and my people, I don't think we've explained it well enough to the American public."

Trump has long believed that he is his most effective spokesperson and has groused about supporters and aides not defending him vigorously enough. At the same time, he often undermines his staffers, contradicting their public statements and sending inflammatory tweets that derail their efforts to stay on topic.

White House spokesman Sean Spicer pushed back Tuesday on the idea that a broader reorganization was imminent, but he acknowledged the president is frustrated with news stories "that are absolutely false, that are not based in fact. That is troubling."

Spicer said he thinks the president "is very pleased with his team," but he added, "Ultimately the best messenger is the president himself. He's always proven that."

Rumors of impending shake-ups have come and gone in the Trump White House before. But numerous people close to the president and his team are expecting further changes this time.

For example, Trump has entertained bringing his former campaign manager, Corey Lewandowski, and former deputy campaign manager, David Bossie, more formally back into the fold. Both Lewandowski and Bossie visited the White House Monday night, according to two people familiar with the meeting, who spoke on condition of anonymity to discuss a private get-together.

But it remains unclear whether the president might envision them working inside the White House or in outside roles.

Bossie told "Fox & Friends" that the administration has reached out to him but hasn't offered him a job. "They have talked to many people, including me," Bossie said. He later added: "It's an ongoing conversation, and that's a fair way to put it."

Another person whose name has been raised as a possible addition to the president's team is David Urban, a prominent Republican lobbyist, who also spent time advising Trump's campaign and has remained a trusted adviser.

While overseas, Trump's longtime lawyer, Marc Kasowitz, joined a still-forming legal team to help the president shoulder the intensifying investigations into Russian interference in the election and Trump associates' potential involvement. More attorneys with deep experience in Washington investigations are expected to be added in the weeks ahead.

The latest revelations to emerge last week involved Trump's son-in-law and top aide, Jared Kushner. Shortly after the election, Kushner is reported to have discussed setting up a secret communications channel with the Russian government to facilitate sensitive discussions about the conflict in Syria.

The intent was to connect Trump's chief national security adviser at the time, Michael Flynn, with Rus-

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 24 of 31

sian military leaders, a person familiar with the discussions told the AP. The person wasn't authorized to publicly discuss private policy deliberations and insisted on anonymity.

Flynn handed in his resignation in February, ousted on grounds that he had misled top White House officials about his contacts with Russian officials.

A senior administration official said Kushner was keeping his head down and focusing on work after the foreign trip. The official said Kushner was eager to share what he knows with Congress and other investigators. The official was not authorized to publicly discuss private thinking and spoke on the condition of anonymity.

Trump aides had been hoping to get through the trip before making staffing decisions.

Indeed, Dubke offered his resignation before the president's departure, White House counselor Kellyanne Conway told The Associated Press, but offered to stay on during the trip. His last day has not yet been determined.

White House chief of staff Reince Priebus thanked Dubke in a statement and said he had "offered to remain onboard until a transition is concluded."

"Mike will assist with the transition and be a strong advocate for the president and the president's policies moving forward," Priebus said.

Associated Press writers Vivian Salama, Ken Thomas and Julie Bykowicz contributed to this report.

Nest wants your home security camera to recognize you By MICHAEL LIEDTKE, AP Technology Writer

SAN FRANCISCO (AP) — Nest Labs is adding Google's facial recognition technology to a high-resolution home-security camera, offering a glimpse of a future in which increasingly intelligent, internet-connected computers can see and understand what's going on in people's homes.

The Nest Cam IQ, unveiled Wednesday, will be Nest's first device to draw upon the same human-like skills that Google has been programming into its computers — for instance, to identify people in images via its widely used photo app. Facebook deploys similar technology to automatically recognize and recommend tags of people in photos posted on its social network.

THE COST OF FACIAL RECOGNITION

The new camera will set you back almost \$300, and you'll also have to pay \$10 a month for a plan that includes facial recognition technology. The same plan will also include other features, such as alerts generated by particular sounds — barking dogs, say — that occur out of the camera's visual range.

The camera will only identify people you select through Nest's app for iPhones and Android devices. For instance, you could program the device to recognize a child, friend or neighbor, after which it will send you a notifications about that person being in the home. It won't try to recognize anyone that an owner hasn't tagged.

Even if a Nest Cam IQ video spies a burglar in a home, law enforcement officials will have to identify the suspect through their own investigation and analysis, according to Nest.

PRIVACY CONCERNS

Facial recognition is becoming much more common on home-security cameras. Netatmo , for instance, introduced a security camera touting a similar facial recognition system in 2015. That camera sells for \$100 less than the Nest Cam IQ.

The way that the Nest and Netatmo cameras are being used doesn't raise serious privacy concerns because they are only verifying familiar faces, not those of complete strangers, said Jennifer Lynch, who specializes in biometrics as a senior staff attorney for the Electronic Frontier Foundation, a digital advocacy group.

But Lynch believes privacy issues are bound to crop up as the resolution and zoom capabilities of home security cameras improve, and as engineers develop more sophisticated ways of identifying people even when an image is moving or only a part of a face is visible. Storing home-security videos in remote data

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 25 of 31

centers also raises security concerns about the imagery being stolen by computer hackers. "It definitely could become a slippery slope," Lynch said.

The privacy issues already are thorny enough that Nest decided against offering the facial recognition technology in Illinois, where state law forbids the collection and retention of an individual's biometric information without prior notification and written permission from a person.

FURTHER DETAILS

Nest's \$10 monthly subscription plans includes video storage for 10 days. Video can be stored for a maximum of 30 days with an upgrade to a subscription plan costing \$30 per month.

The high-end camera supplements lower-resolution indoor and outdoor cameras that Nest will continue to sell for almost \$200. Neither of the lower-end cameras is equipped for facial recognition.

Nest can tap into Google's expertise in artificial intelligence because both companies are owned by the same parent company, Alphabet Inc.

Police: Man with fake gun in custody at Orlando airport

ORLANDO, Fla. (AP) — A former Marine who was armed with a fake gun attempted a "suicide by cop" Tuesday night during a nearly three-hour standoff with police at the Orlando International Airport, authorities said.

No one was hurt and no shots were ever fired, but the standoff caused confusion and anxiety among travelers who were uncertain about what was going on. Part of the airport was evacuated as hundreds of officers stormed the area, some with their guns drawn.

Michael Wayne Pettigrew, 26, was in "mental distress" when police surrounded him at the rental car area of the airport, authorities said. He pointed what looked like a real gun at officers and himself, authorities said.

"Our negotiators did a phenomenal job of talking with the subject for about two hours and finally got him to peacefully surrender," Orlando Police Chief John Mina said.

He was being held for a mental evaluation and faces aggravated assault charges.

Glorializ Colón Plaza, 20, told the Orlando Sentinel she was just getting off work from Virgin Atlantic airlines when she saw everyone hiding. She got off the elevator and saw the man on the floor near the rental car area. He was screaming, and cops had surrounded him.

"I couldn't make out the words, but he was screaming really loud," she said. "Everyone there told me right before this happened a man said to everyone: You're going to need mental therapy after this,' then he pulled out a gun and everyone ran."

Plaza said she didn't hear any gunshots or see anyone injured.

"I saw all the cops with the long rifles and started shaking," she said. "It didn't seem real."

Earlier this year, authorities say an Alaska man killed five people inside a baggage claim area at the Fort Lauderdale-Hollywood International Airport.

The incident at the Orlando airport was first reported about 7:24 p.m. Terminal A was eventually closed, but the other side of the airport, Terminal B, remained open during the standoff.

Greater Orlando Aviation Authority Chairman Frank Kruppenbacher praised the response of both law enforcement and airport employees.

"Our employees did everything in accordance with what OPD has trained them to do," Kruppenbacher said. "You couldn't have a better resolution. No one was hurt. The airport continued to operate on the other side."

Some flights were delayed during the ordeal, but airport operations were returning to normal late Tuesday night.

Images posted on social media showed a heavy police presence in the area and passengers were worried about their safety and missing flights. At one point, the Florida Highway Patrol tweeted that all roads to the airport were shut down, with "zero exceptions." Orlando police later said the entrances were open but congested.

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 26 of 31

Woods found asleep at the wheel, no alcohol in his system By DOUG FERGUSON, AP Golf Writer

More disturbing images of Tiger Woods emerged Tuesday in the black-and-white details of police reports, depicting him sound asleep behind the wheel of a car parked awkwardly on the side of a six-lane Florida road with two flat tires, the engine still running and a blinker flashing.

When a police officer woke him, Woods was so disoriented that he initially said he had just returned from playing golf in Los Angeles. Then, he said he didn't know where he was or how far away he was from his home in Jupiter Island.

He kept falling back asleep.

Eventually, he failed a sobriety test so badly that at one point officers moved toward him to ensure he didn't fall over.

There was no evidence of alcohol, however, confirming what Woods said Monday night when he issued a statement saying he had had an "unexpected reaction" to prescription medicine. Jupiter police said he took a breath test that showed no alcohol in his system. He later agreed to a urine test.

Still to come is potential video evidence from dashcam footage showing his arrest on suspicion of DUI in the morning darkness of Memorial Day.

An affidavit and an incident report from the four officers at the scene were released a day after Woods spent nearly four hours in the Palm Beach County jail. His mug shot from the jail — showing lifeless eyes and scraggly facial hair — provided a stark illustration of how much Woods' mystique has been shattered since a decade of domination that golf had never seen.

It left players on the PGA Tour hopeful for better times, and not just on the golf course.

"I feel bad for Tiger," Jack Nicklaus said. "Tiger is a friend. He's been great for the game of golf, and I think he needs all our help. And we wish him well. ... I hope he gets out of it and I hope he plays golf again. He needs a lot of support from a lot of people, and I'll be one of them."

Woods remains a favorite among players young and old. When he was an assistant captain at the Ryder Cup last September, the American team presented him a red shirt that said, "Make Tiger Great Again."

"I'm concerned about him," said Steve Stricker, the Presidents Cup captain who chose Woods as one of his assistants. He said he exchanged texts with Woods on Monday and that Woods told him no alcohol was involved.

"Whether this is just a misunderstanding ... or if he had some medication problems, a mixture of some — I really don't know," Stricker said. "And I'm always the guy to give the benefit of the doubt, and we're just going to have to wait and see. But I'm pulling for him. I'm hoping that he gets things turned around and back out there playing well again."

Woods has not competed in four months, and he had fusion surgery on his lower back last month — his fourth back surgery in three years — that will keep him off the PGA Tour for at least the rest of the season.

He told police he had taken several prescriptions. The affidavit listed four medications, including Vicodin, that Woods reported taking.

Vicodin is an opioid pain medication. The other three drugs appear to be misspelled. One is similar in spelling to Solax (a muscle relaxer) or Solox (for acid reflux). Another is similar in spelling to Etorix, a painkiller not currently approved in the United States.

Painkillers are generally prescribed after such surgeries, and many carry warnings to avoid driving while taking them. Other medicines, including over-the-counter allergy medicine or anti-anxiety medicines, can also cause drowsiness and include warnings about driving.

The FDA warning for Vicodin says it "may impair the mental and/or physical abilities required for the performance of potentially hazardous tasks such as driving a car or operating machinery; patients should be cautioned accordingly."

According to the incident report, police spotted Woods' black Mercedes on Military Trail at 2:03 a.m. Monday, parked on the side of the road and partially blocking the right lane and bicycle lane. Along with right blinker flashing, the brake lights were still on.

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 27 of 31

The officer said Woods was asleep at the wheel, with a phone in his lap and his hands resting on his legs, and he only slightly opened his eyes when the officer shined his flashlight through the window.

"It should be noted that Woods was asleep at the wheel and had to be woken up," the affidavit said. "Woods had extremely slow and slurred speech."

In the incident report, police described fresh damage to the driver's side of the car — both tires were flat, along with minor damage to the rims. There also was minor damage to the front driver's side bumper and rear bumper, and the passenger rear tail light appeared to be out.

The first backup officer to arrive wrote in his report that Woods was swaying upon getting out of the car. Woods tried to tie his shoes by placing his foot on the grill of the cruiser and nearly lost his balance, and eventually he just took them off.

After failing all the roadside sobriety tests, Woods was handcuffed and taken to jail. He was released later on his own recognizance.

Woods is scheduled to be arraigned July 5 in Palm Beach County on the DUI charge. Police also cited him for improper parking. He was alone in the car.

Woods has 79 career victories on the PGA Tour, second only to Sam Snead. He has won 14 majors, the last one the U.S. Open in 2008 at Torrey Pines just one week before his fourth knee surgery, which sidelined him for nearly nine months.

Woods, who had been No. 1 longer than any other golfer, has not been a factor since his last victory in August 2013 as he battled through back surgeries from a week before the 2014 Masters until his most recent fusion surgery on his lower back.

Associated Press writer Jennifer Kay in Miami and AP Sports Writer Genaro Armas in Madison, Wisconsin, contributed to this report.

Pentagon declares success for key test of missile defense By ROBERT BURNS, AP National Security Writer

WASHINGTON (AP) — The Pentagon scored an important success Tuesday in a test of its oft-criticized missile defense program, destroying a mock warhead over the Pacific Ocean with an interceptor that is key to protecting U.S. territory from a North Korean attack.

Vice Adm. Jim Syring, director of the Pentagon agency in charge of developing the missile defense system, called the test result "an incredible accomplishment" and a critical milestone for a program hampered by setbacks over the years.

"This system is vitally important to the defense of our homeland, and this test demonstrates that we have a capable, credible deterrent against a very real threat," Syring said in a written statement announcing the test result.

Despite the success, the \$244 million test didn't confirm that under wartime conditions the U.S. could intercept an intercontinental-range missile fired by North Korea. Pyongyang is understood to be moving closer to the capability of putting a nuclear warhead on such an ICBM and could develop decoys sophisticated enough to trick an interceptor into missing the real warhead.

Syring's agency sounded a note of caution.

"Initial indications are that the test met its primary objective, but program officials will continue to evaluate system performance based upon telemetry and other data obtained during the test," his statement said.

Philip E. Coyle, a former head of the Pentagon's test and evaluation office and a senior fellow at the Center for Arms Control and Non-Proliferation, said Tuesday's outcome was a significant success for a test that was three years in preparation, but he noted that it was only the second success in the last five intercept attempts since 2010.

"In several ways, this test was a \$244 million-dollar baby step, a baby step that took three years," Coyle said.

The most recent intercept test, in June 2014, was successful, but the longer track record is spotty. Since the system was declared ready for potential combat use in 2004, only four of nine intercept attempts

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 28 of 31

have been successful.

"This is part of a continuous learning curve," said Navy Capt. Jeff Davis, a Pentagon spokesman, ahead of Tuesday's test. The Pentagon is still incorporating engineering upgrades to its missile interceptor, which has yet to be fully tested in realistic conditions.

North Korea says its nuclear and missile programs are a defense against perceived U.S. military threats. Its accelerating missile development has complicated Pentagon calculations, most recently by incorporating solid-fuel technology into its rockets. The step would mean even less launch warning time for the United States. Liquid fuel is less stable and rockets using it have to be fueled in the field, a process that takes longer and can be detected by satellites.

Underscoring its uninterrupted efforts, North Korea on Monday fired a short-range ballistic missile that landed in Japan's maritime economic zone.

In Tuesday's U.S. test, the Pentagon's Missile Defense Agency launched an interceptor rocket from an underground silo at Vandenberg Air Force Base in California. The target was an intercontinental-range missile fired from a test range on Kwajalein Atoll in the Pacific.

According to the plan, a 5-foot-long "kill vehicle" released from atop the interceptor zeroed in on the ICBM-like target's mock warhead outside Earth's atmosphere and obliterated it by sheer force of impact, the Pentagon said. The "kill vehicle" carries no explosives, either in testing or in actual combat.

The target was a custom-made missile meant to simulate an ICBM, meaning it flew faster than missiles used in previous intercept tests, according to Christopher Johnson, the Missile Defense Agency's spokesman. It was not a mock-up of an actual North Korean ICBM, and details of its exact capabilities weren't made public.

Officially known as the Ground-based Midcourse Defense system, the Pentagon likens the defensive tactic to hitting a bullet with a bullet. With congressional support, the Pentagon is increasing by the end of this year the number of deployed interceptors, based in California and Alaska, to 44 from the current total of 36.

While Tuesday's test wasn't designed with the expectation of an imminent North Korean missile threat, the military wants progress toward the stated goal of being able to shoot down a small number of ICBMs targeting the United States.

Laura Grego, senior scientist at the Union of Concerned Scientists, which has criticized the missile defense program, called the interceptor an "advanced prototype," meaning it is not fully matured technologically even if it has been deployed and theoretically available for combat since 2004. A successful test Tuesday, she said, could demonstrate the Pentagon is on the right track with its latest technical fixes.

"Overall," she wrote in an analysis prior to the test, the military "is not even close to demonstrating that the system works in a real-world setting."

The interceptors are, in essence, the last line of U.S. defense against an attack by an intercontinentalrange missile.

The Pentagon has other elements of missile defense that have shown to be more reliable, although they are designed to work against medium-range or shorter-range ballistic missiles. These include the Patriot missile, which numerous countries have purchased from the U.S., and the Terminal High-Altitude Area Defense, or THAAD, which the U.S. deployed this year to South Korea to defend against medium-range missiles from North Korea.

3 Mile Island owner threatens to close ill-fated plant By MARC LEVY, Associated Press

HARRISBURG, Pa. (AP) — Cheap natural gas could do what the worst commercial nuclear power accident in U.S. history could not: put Three Mile Island out of business.

Three Mile Island's owner, Exelon Corp., announced Tuesday that the plant that was the site of a terrifying partial meltdown in 1979 will close in 2019 unless the state of Pennsylvania comes to its financial rescue. Nuclear power plants around the U.S. have been struggling in recent years to compete with generating

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 29 of 31

stations that burn plentiful and inexpensive natural gas to produce electricity.

The Chicago-based energy company's announcement came after what it called more than five years of losses at the single-reactor plant and Three Mile Island's recent failure to be selected as a guaranteed supplier of power to the regional electric grid.

Exelon wants Pennsylvania to give nuclear power the kind of preferential treatment and premium payments that are extended to renewable forms of energy, such as wind and solar. It has not said how much it wants.

Pennsylvania Gov. Tom Wolf has made no commitment to a bailout. In a statement Tuesday, Wolf said he is concerned about layoffs at Three Mile Island and open to discussions about the future of nuclear power. Exelon employs 675 people at the plant, whose license does not expire until 2034.

Nuclear bailouts have won approval in Illinois and New York, but the potential for higher utility bills in Pennsylvania is generating resistance from rival energy companies, manufacturers and consumer advocates. David Hughes, president of the Pittsburgh-based consumer group Citizen Power, said the notion that

nuclear power is clean energy, as the industry argues, is laughable.

"It's a myth, and they're trying any way they can to get more money out of ratepayers," he said.

In addition to contending that nuclear power can help fight climate change better than gas or coal, Exelon and other energy companies have argued that their plants are big employers and sources of tax revenue.

"Like New York and Illinois before it, the commonwealth has an opportunity to take a leadership role by implementing a policy solution to preserve its nuclear energy facilities and the clean, reliable energy and good-paying jobs they provide," Chris Crane, Exelon president and CEO, said in a statement.

Around the U.S., nuclear plants have been hammered by the natural gas boom.

In December, Illinois approved \$235 million a year for Exelon to prop up nuclear plants in the Quad Cities and Clinton, six months after the company threatened to shut them down.

FirstEnergy Corp. has said it could decide next year to sell or close its three nuclear plants — Davis-Besse and Perry in Ohio and Beaver Valley in Pennsylvania. PSEG of New Jersey, which owns all or parts of four nuclear plants, has said it won't operate ones that are long-term money losers.

Built during a golden age for nuclear power, Three Mile Island's Unit 1 went online in 1974 and Unit 2 in 1978, coughing steam into the air above its sliver of land in the Susquehanna River, about 10 miles from Harrisburg.

In March 1979, equipment failure and operator errors led to a partial core meltdown of Unit 2, leading to several days of fear and prompting 144,000 people to flee their homes amid conflicting or ill-informed information from utility and government officials.

Scientists worried at one point that a hydrogen bubble forming inside the reactor would explode with catastrophic consequences.

Experts have come to no firm conclusion about the health effects or the amount of radiation released, though government scientists have said the maximum individual dosage was not enough to cause health problems.

Regardless, the accident badly undermined support for nuclear power. No nuclear plant that was proposed after the accident has been successfully completed and put into operation in the U.S.

The damaged reactor has been mothballed, but the other reactor is still in use. Exelon says the operating costs for just the one unit are high, further straining Three Mile Island's financial health.

Pennsylvania is the nation's No. 2 nuclear power state, after Illinois.

Closing Three Mile Island would have little or no effect on electricity bills, analysts say. But the power may be replaced by electricity generated by carbon-emitting fuels such as coal or gas.

Because of the flood of natural gas on the market, a lot of it from the Northeast's Marcellus Shale formation, dozens of new gas-fired plants are coming online or planned. At the same times, states are putting more emphasis on renewable energy and efficiency.

This story has been corrected to show the day of the Three Mile Island announcement was Tuesday,

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 30 of 31

not Monday.

Asian stocks mixed amid US political uncertainty, China data By YURI KAGEYAMA, AP Business Writer

TOKYO (AP) — Asian stocks were mixed Wednesday as worries lingered over political uncertainty in Washington and shares drooped overnight in the U.S. while China was boosted by manufacturing data.

KEEPING SCORE: Japan's benchmark Nikkei 225 fell 0.1 percent in morning trading to 19,657.76 and Australia's S&P/ASX 200 added 0.3 percent to 5,736.30. South Korea's Kospi gained 0.3 percent to 2,351.21. Hong Kong's Hang Seng added 0.2 percent to 25,759.49, while the Shanghai Composite was up nearly 0.5 percent at 3,124.12.

WALL STREET: The Standard & Poor's 500 index lost 2.91 points, or 0.1 percent, to 2,412.91. The Dow Jones industrial average fell 50.81 points, or 0.2 percent, to 21,029.47. The Nasdaq composite dipped 7 points, or 0.1 percent, to 6,203.19.

TRUMP FACTOR: An ongoing probe into Russia's meddling in the 2016 election has set off uncertainty about the administration of President Donald Trump. National Security Adviser Michael Flynn has decided to provide documents to the Senate intelligence committee, while Trump's personal attorney, Michael Cohen, has rejected a House intelligence committee request for information. Former White House staffer Boris Epshteyn confirmed he has been contacted for information as part of the investigation.

CHINA DATA: An official monthly survey showed that growth in China's factory activity was steady last month in a sign that the recovery in the world's No. 2 economy is holding up. The purchasing' managers index, or PMI, released Wednesday came in at 51.2 for May.

THE QUOTE: "This suggests further stablization of the world's second largest economy and will allow policy makers more room to carry out the de-leverage campaign in an attempt to reduce the country's heightened debts," Margaret Yang Yan, analyst with CMC Markets Singapore, said of the China data.

ENERGY: Benchmark U.S. crude lost 30 cents to \$49.36 a barrel in New York. It lost 14 cents to \$49.66 a barrel Tuesday. Brent crude, the international standard, fell 30 cents to \$51.94 a barrel in London.

CURRENCIES: The dollar rose slightly to 110.09 yen from 111.07 yen late Tuesday in Asia. The euro was little changed at \$1.1188 from \$1.1181.

Yuri Kageyama can be reached on Twitter at https://twitter.com/yurikageyama Her work can be found at https://www.apnews.com/search/yuri%20kageyama

Today in History By The Associated Press

Today in History

Today is Wednesday, May 31, the 151st day of 2017. There are 214 days left in the year.

Today's Highlight in History:

On May 31, 1977, the Trans-Alaska oil pipeline, three years in the making despite objections from environmentalists and Alaska Natives, was completed. (The first oil began flowing through the pipeline 20 days later; today the pipeline carries an average of 1.8 million barrels of oil a day, according to the Alaska Public Lands Information Centers website.)

On this date:

In 1790, President George Washington signed into law the first U.S. copyright act.

In 1889, some 2,200 people in Johnstown, Pennsylvania, perished when the South Fork Dam collapsed, sending 20 million tons of water rushing through the town.

In 1910, the Union of South Africa was founded.

In 1916, during World War I, British and German fleets fought the naval Battle of Jutland off Denmark; there was no clear-cut victor, although the British suffered heavier losses.

Wednesday, May 31, 2017 ~ Vol. 24 - No. 321 ~ 31 of 31

In 1935, movie studio 20th Century Fox was created through a merger of the Fox Film Corp. and Twentieth Century Pictures.

In 1949, former State Department official and accused spy Alger Hiss went on trial in New York, charged with perjury (the jury deadlocked, but Hiss was convicted in a second trial).

In 1961, South Africa became an independent republic as it withdrew from the British Commonwealth.

In 1962, former Nazi official Adolf Eichmann was hanged in Israel a few minutes before midnight for his role in the Holocaust.

In 1970, a magnitude 7.9 earthquake in Peru claimed an estimated 67,000 lives.

In 1985, 88 people were killed, more than 1,000 injured, when 41 tornadoes swept through parts of Pennsylvania, Ohio, New York and Ontario, Canada, during an 8-hour period.

In 1994, the United States announced it was no longer aiming long-range nuclear missiles at targets in the former Soviet Union.

In 2005, breaking a silence of 30 years, former FBI official W. Mark Felt stepped forward as "Deep Throat," the secret Washington Post source during the Watergate scandal.

Ten years ago: President George W. Bush, under international pressure to take tough action against global warming, called for a world summit to set a long-term global strategy for reducing greenhouse gas emissions. In a breach of security, detailed plans for the new U.S. Embassy under construction in Baghdad appeared on the website of the architectural firm that was contracted to design the massive facility. Former Presidents Jimmy Carter, Bill Clinton and George H.W. Bush attended the dedication of the Billy Graham Library in Charlotte, North Carolina.

Five years ago: Democrat John Edwards' campaign finance fraud case ended in a mistrial when jurors in Greensboro, North Carolina, acquitted him on one of six charges but were unable to decide whether he'd misused money from two wealthy donors to hide his pregnant mistress while he ran for president. (Prosecutors declined to retry Edwards on the five unresolved counts.) President Barack Obama welcomed his predecessor back to the White House for the unveiling of the official portraits of former President George W. Bush and former first lady Laura Bush. Fourteen-year-old Snigdha Nandipati (SNIHG'-nah nahndih-PAW'-tee) of San Diego won the 85th Scripps National Spelling Bee by correctly spelling "guetapens (GEHT'-uh-pawn)," a French-derived word meaning ambush, snare or trap.

One year ago: A jury found former suburban Chicago police officer Drew Peterson guilty of trying to hire someone to kill the prosecutor who helped to convict him in the killing of his third wife, Kathleen Savio. President Barack Obama personally congratulated the Villanova University men's basketball team for winning what he described as "maybe the best title game of all time" in the 2016 NCAA tournament.

Today's Birthdays: Actor-director Clint Eastwood is 87. Singer Peter Yarrow is 79. Former Humanitarian Terry Waite is 78. Singer-musician Augie Meyers is 77. Actress Sharon Gless is 74. Football Hall-of-Famer Joe Namath is 74. Broadcast journalist/commentator Bernard Goldberg is 72. Actor Tom Berenger is 67. Actor Gregory Harrison is 67. Actor Julio Oscar Mechoso is 62. Actor Kyle Secor is 60. Actress Roma Maffia (ma-FEE'-uh) is 59. Comedian Chris Elliott is 57. Actress Lea Thompson is 56. Singer Corey Hart is 55. Actor Hugh Dillon is 54. Rapper DMC is 53. Actress Brooke Shields is 52. Country musician Ed Adkins (The Derailers) is 50. TV host Phil Keoghan is 50. Jazz musician Christian McBride is 45. Actoress Archie Panjabi is 45. Actor Colin Farrell is 41. Rock musician Scott Klopfenstein (Reel Big Fish) is 40. Actor Eric Christian Olsen is 40. Rock musician Andy Hurley (Fall Out Boy) is 37. Country singer Casey James (TV: "American Idol") is 35. Actor Jonathan Tucker is 35. Rapper Waka Flocka Flame is 31. Actor Curtis Williams Jr. is 30. Pop singer Normani Hamilton (Fifth Harmony) is 21.

Thought for Today: "A conference is a gathering of important people who singly can do nothing, but together can decide that nothing can be done." — Fred Allen, American comedian (born this date in 1894, died in 1956).